



General Assembly

Substitute Bill No. 28

January Session, 2011

* ____SB00028PS____040611____ *

AN ACT CONCERNING SURETY BAIL BOND AGENTS AND PROFESSIONAL BONDSMEN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-660 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) As used in this section, section 38a-660a, as amended by this act,
4 and sections 3 to 14, inclusive, of this act:

5 (1) "Build-up funds" means a percentage of the premium received
6 by a surety bail bond agent for the execution of a bail bond, which are
7 held in a trust account by the insurer or managing general agent;

8 [(1)] (2) "Commissioner" means the Insurance Commissioner;

9 (3) "Disqualifying offense" means: (A) A felony; (B) a misdemeanor
10 if an element of the offense involves dishonesty or misappropriation of
11 money or property; or (C) a misdemeanor under section 21a-279, 53a-
12 58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173, 53a-175, 53a-176,
13 53a-178 or 53a-181d;

14 (4) "Estreatment" or "estreature" means the enforcement of a
15 forfeiture of a bail bond due to a failure of the principal to comply with
16 a lawful appearance in court and the court order forfeiting such bail

17 bond;

18 [(2)] (5) "Insurer" means any domestic, foreign or alien insurance
19 company [which] that has qualified generally to transact surety
20 business in this state under the requirements of chapter 698 and
21 specifically to transact bail bond business in this state;

22 [(3)] "Surety bail bond agent" means any person who has been
23 approved by the commissioner and appointed by an insurer by power
24 of attorney to execute or countersign bail bonds for the insurer in
25 connection with judicial proceedings;]

26 [(4)] (6) "License" means a surety bail bond agent license issued by
27 the commissioner to a qualified individual as provided in this section;

28 (7) "Managing general agent" means any person appointed or
29 employed by an insurer to supervise or otherwise manage the bail
30 bond business written in this state by surety bail bond agents
31 appointed by such insurer;

32 [(5)] (8) "Solicit" includes any written or printed presentation or
33 advertising made by mail or other publication, or any oral presentation
34 or advertising in person or by means of telephone, radio or television
35 which implies that an individual is licensed under this section, and any
36 activity in arranging for bail which results in compensation to the
37 individual conducting that activity; and

38 [(6)] "Disqualifying offense" means: (A) A felony; or (B) a
39 misdemeanor if an element of the offense involves dishonesty or
40 misappropriation of money or property.]

41 (9) "Surety bail bond agent" means any person who has been
42 approved by the commissioner and appointed by an insurer by power
43 of attorney to execute or countersign bail bonds for the insurer in
44 connection with judicial proceedings.

45 (b) An insurer shall not execute an undertaking of bail in this state

46 except by and through a person holding a license issued as provided in
47 this section.

48 (c) A person shall not in this state solicit or negotiate in respect to
49 execution or delivery of an undertaking of bail or bail bond on behalf
50 of an insurer, or execute or deliver such an undertaking of bail or bail
51 bond on behalf of an insurer unless licensed as provided in this
52 section. No person engaged in law enforcement or vested with police
53 powers shall be licensed as a surety bail bond agent. Any person who
54 violates the provisions of this subsection shall be guilty of a class D
55 felony.

56 (d) Only natural persons who are licensed under this section may
57 execute bail bonds. A firm, partnership, association or corporation,
58 desiring to execute an undertaking of bail in this state [must] shall do
59 so by and through a person holding a license issued as provided in this
60 section.

61 (e) Any person desiring to act within this state as a surety bail bond
62 agent shall make a written application to the commissioner for a
63 license in such form and having such supporting documents as the
64 commissioner prescribes. Each application shall be signed by the
65 applicant and shall be accompanied by a nonrefundable filing fee as
66 [determined by the commissioner] specified in section 38a-11, as
67 amended by this act. The applicant [must] shall also submit with the
68 application a complete set of the applicant's fingerprints, certified by
69 an authorized law enforcement officer, and two recent credential-sized
70 full-face photographs of the applicant. At the time of application, each
71 applicant for a license shall forward a copy of the applicant's complete
72 application and supporting documents to the [bond forfeiture unit]
73 Asset Forfeiture Bureau of the Office of the Chief State's Attorney.

74 (f) (1) Every applicant for a license [must] shall file with the
75 commissioner a notice of appointment executed by an insurer or its
76 authorized representative authorizing such applicant to execute
77 undertakings of bail and to solicit and negotiate such undertakings on

78 its behalf.

79 (2) An appointment of a person as a surety bail bond agent by an
80 insurer pursuant to subdivision (1) of this subsection shall constitute
81 certification by such insurer that, to the best of the insurer's knowledge
82 and belief, such person is competent, financially responsible and
83 suitable to serve as a representative of the insurer. No person shall
84 represent to the public that such person has the authority to represent
85 an insurer as its surety bail bond agent until such person has been
86 appointed by an insurer as such agent in accordance with this section.
87 An insurer shall be bound by the acts of such person within the scope
88 of such person's actual or apparent authority as such insurer's agent.

89 (3) (A) Each appointment shall, by its terms, continue in force until:
90 [(1)] (i) Termination of the surety bail bond agent's license; or [(2)] (ii)
91 the filing of a notice of termination with the commissioner by the
92 insurer or its representative or by such surety bail bond agent.

93 (B) No such agent shall engage or attempt to engage in any activity
94 requiring such an appointment after the termination of such agent's
95 appointment. An insurer that terminates the appointment of a surety
96 bail bond agent may (i) authorize such agent to take into custody a
97 principal who has absconded for whom a bail bond had been executed
98 prior to the termination of such agent's appointment, and (ii) seek
99 discharge of forfeitures and judgments paid by such insurer on behalf
100 of such agent prior to such agent's termination.

101 (g) An applicant for a license shall be required to appear in person
102 and take a written examination testing the applicant's competency and
103 qualifications to act as a surety bail bond agent. The commissioner
104 may designate an independent testing service to prepare and
105 administer such examination, provided any examination fees charged
106 by such service shall be paid by the applicant. The commissioner shall
107 collect the appropriate examination fee, which shall entitle the
108 applicant to take the examination for the license, except when a testing
109 service is used, the testing service shall pay such fee to the

110 commissioner. In either case, such examination shall be as the
111 commissioner prescribes and shall be of sufficient scope to test the
112 applicant's knowledge of subjects pertinent to the duties and
113 responsibilities of a surety bail bond agent, including all laws and
114 regulations of this state applicable thereto.

115 (h) In addition to all other requirements prescribed in this section,
116 each applicant for a license shall furnish satisfactory evidence to the
117 commissioner that: (1) The applicant is at least eighteen years of age;
118 (2) the applicant is a citizen of the United States; and (3) the applicant
119 has never been convicted of a [felony or any misdemeanor under
120 section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173,
121 53a-175, 53a-176, 53a-178 or 53a-181d] disqualifying offense. The
122 commissioner shall require each applicant to submit to a background
123 investigation, including an investigation of any prior criminal activity,
124 to be conducted by the Division of Criminal Justice. The Division of
125 Criminal Justice shall require each applicant to submit to state and
126 national criminal history records checks. Such criminal history records
127 checks shall be conducted in accordance with section 29-17a.

128 (i) Upon [satisfying himself] determining that an applicant meets
129 the licensing requirements of this state and is in all respects properly
130 qualified and trustworthy and that the granting of such license is not
131 against the public interest, the commissioner may issue to such
132 applicant, upon payment of the license fee, as specified in section 38a-
133 11, as amended by this act, the license applied for, in such form as he
134 may adopt, to act within this state to the extent therein specified. Such
135 license shall expire on January thirty-first of each even-numbered year.

136 (j) The commissioner may adopt regulations, in accordance with the
137 provisions of chapter 54, relating to the approval of schools offering
138 courses in the duties and responsibilities of surety bail bond agents,
139 the content of such courses and the advertising to the public of the
140 services of these schools.

141 (k) (1) To further the enforcement of this section and sections 3 to 14,

142 inclusive, of this act, and to determine the eligibility of any licensee,
143 the commissioner may, as often as [he] the commissioner deems
144 necessary, examine the books and records of any such licensee. Each
145 person licensed as a surety bail bond agent in this state shall, on or
146 before January thirty-first, annually, pay to the commissioner a fee of
147 four hundred fifty dollars to cover the cost of examinations under this
148 subsection.

149 (2) The fees received by the commissioner pursuant to subdivision
150 (1) of this subsection shall be dedicated to conducting the examinations
151 under said subdivision (1) and shall be deposited in the account
152 established under subdivision (3) of this subsection.

153 (3) There is established an account to be known as the "surety bail
154 bond agent examination account", which shall be a separate,
155 nonlapsing account within the Insurance Fund established under
156 section 38a-52a. The account shall contain any moneys required by law
157 to be deposited in the account and any such moneys remaining in the
158 account at the close of the fiscal year shall be transferred to the General
159 Fund.

160 (l) [A license may, in the discretion of the] The commissioner [, be
161 renewed or continued] may renew or continue a license upon payment
162 of the appropriate fee, as [the commissioner deems necessary]
163 specified in section 38a-11, as amended by this act, without the
164 resubmittal of the detailed information required in the original
165 application.

166 [(m) The commissioner shall adopt regulations in accordance with
167 the provisions of chapter 54 to implement subsections (a) to (l),
168 inclusive, of this section.

169 (n) Any individual aggrieved by the action of the commissioner in
170 revoking, suspending or refusing to reissue a license or in imposing a
171 fine or penalty may appeal therefrom, in accordance with the
172 provisions of section 4-183, except venue for such appeal shall be in the

173 judicial district of Hartford. Appeals under this section shall be
174 privileged in respect to the order of trial assignment.]

175 (m) Each surety bail bond agent shall provide written notice:

176 (1) To the commissioner, the appointing insurer and the managing
177 general agent of a change in such surety bail bond agent's business
178 name, principal business address or telephone number, not later than
179 thirty days after such change;

180 (2) To the commissioner of a change in such surety bail bond agent's
181 name or residence address, not later than thirty days after such change;
182 and

183 (3) To the commissioner of (A) any bankruptcy proceeding in this or
184 another state concerning such surety bail bond agent, or (B) any
185 administrative action taken or any administrative order entered
186 against such agent in this or another state, not later than thirty days
187 after such proceeding, action or order. The written notice required
188 under this subdivision shall be accompanied by all supporting
189 documentation.

190 (n) The insurer, managing general agent or surety bail bond agent
191 shall notify the commissioner in writing not later than five days after
192 receiving notice or learning that a surety bail bond agent has been
193 arrested for, pleaded guilty or nolo contendere to, or been found guilty
194 of, a disqualifying offense in this state or an offense in any other state
195 for which the essential elements are substantially the same as a
196 disqualifying offense, whether judgment was entered or withheld by a
197 court.

198 (o) Nothing in this section shall be construed as limiting an
199 individual's ability to operate as a professional bondsman in this state
200 pursuant to chapter 533 provided such individual is in compliance
201 with all requirements of said chapter.

202 Sec. 2. Section 38a-660a of the general statutes is repealed and the

203 following is substituted in lieu thereof (*Effective October 1, 2011*):

204 The Insurance Commissioner shall furnish to all courts and to all
205 organized police departments in the state, the names, principal
206 business addresses and telephone numbers of all persons licensed as
207 surety bail bond agents under this chapter and shall forthwith notify
208 such courts and all such police departments of any change in any such
209 agent's business name, principal business address, telephone number
210 or status or of the suspension or revocation of the license of any such
211 agent to engage in such business.

212 Sec. 3. (NEW) (*Effective October 1, 2011*) (a) No surety bail bond
213 agent shall execute a bail bond without charging the premium rate
214 approved by the commissioner pursuant to chapter 701 of the general
215 statutes.

216 (b) Not later than the tenth day of each month, each surety bail bond
217 agent shall certify to the commissioner under oath, on a form
218 prescribed by the commissioner, that the premium for each surety bail
219 bond executed by such agent in the preceding month was not less
220 than, and did not exceed, the premium rate approved by the
221 commissioner. The filing of a false certification by a surety bail bond
222 agent shall be grounds for administrative action in accordance with
223 section 38a-774 of the general statutes.

224 (c) Each insurer shall semiannually conduct an audit, for the period
225 from January first to June thirtieth and from July first to December
226 thirty-first, of each of its appointed surety bail bond agents to ensure
227 such agents are charging the premium rate as required by subsection
228 (a) of this section. Not later than forty-five days after the closing period
229 of each audit, each insurer shall notify the commissioner of the failure
230 of any surety bail bond agent to charge the premium rate approved by
231 the commissioner pursuant to chapter 701 of the general statutes. Such
232 notice shall include the name of the surety bail bond agent, the case
233 docket number if assigned, the total amount of the bail bond, the date
234 the bail bond was executed, the five-digit identification code assigned

235 to the insurer by the National Association of Insurance Commissioners
236 and the date the premium was due.

237 (d) Not later than January thirty-first, annually, each insurer shall
238 file with the commissioner a statement certifying the total amount of
239 bail bonds executed by such insurer and the total amount of premiums
240 collected by such insurer on such bail bonds in the calendar year
241 preceding.

242 (e) Nothing in this section shall be construed to prohibit or limit a
243 premium financing arrangement that complies with section 4 of this
244 act.

245 Sec. 4. (NEW) (*Effective October 1, 2011*) (a) A surety bail bond agent
246 may enter into a premium financing arrangement with a principal or
247 any indemnitor in which such agent extends credit to such principal or
248 indemnitor.

249 (b) If a surety bail bond agent enters into a premium financing
250 arrangement, such agent shall require (1) the principal on the bail bond
251 or any indemnitor to make a minimum down payment of thirty-five
252 per cent of the premium due, at the premium rate approved by the
253 commissioner pursuant to chapter 701 of the general statutes, and (2)
254 the principal and any indemnitor to execute a promissory note for the
255 balance of the premium due. Such promissory note shall provide that
256 such balance shall be paid not later than fifteen months after the date
257 of the execution of the bail bond. If such balance has not been paid in
258 full to the surety bail bond agent by the due date or a payment due
259 under such arrangement is more than sixty days in arrears, such agent
260 shall file a civil action seeking appropriate relief with the court not
261 later than seventy-five days after such due date. The surety bail bond
262 agent shall make a diligent effort to obtain judgment after filing such
263 complaint on such promissory note unless good cause is shown for
264 failure to obtain judgment, including, but not limited to, the filing for
265 bankruptcy by the principal or the indemnitor or failure to serve
266 process despite good faith efforts.

267 Sec. 5. (NEW) (*Effective October 1, 2011*) (a) All premiums, including
268 any part of a premium that a surety bail bond agent is obligated to
269 return to a principal or indemnitor, and other funds belonging to
270 insurers or others that are received by a surety bail bond agent in
271 performing such agent's duties as a surety bail bond agent shall be
272 deemed trust funds received by such agent in a fiduciary capacity.
273 Such agent shall account for and pay the same to the insurer or persons
274 entitled to such funds pursuant to the surety bail bond agent's contract
275 with the insurer or managing general agent. No fees, expenses or
276 charges of any kind shall be deducted from any premium the surety
277 bail bond agent is obligated to return to a principal or indemnitor,
278 except as authorized under sections 3 to 12, inclusive, of this act.

279 (b) A surety bail bond agent shall keep and make available to the
280 commissioner or the commissioner's designee any books, accounts and
281 records as necessary to enable the commissioner to determine whether
282 such agent is complying with the provisions of sections 3 to 12,
283 inclusive, of this act. A surety bail bond agent shall preserve the books,
284 accounts and records pertaining to a premium payment for at least
285 three years after making such payment. Records that are preserved by
286 photographic or digital reproduction or records that are in
287 photographic or digital form shall be deemed to be in compliance with
288 this subsection.

289 (c) Any surety bail bond agent who diverts or appropriates any of
290 the funds received under subsection (a) of this section for such agent's
291 own use shall be subject to the penalties for larceny under sections 53a-
292 122 to 53a-125b, inclusive, of the general statutes, depending on the
293 amount involved.

294 Sec. 6. (NEW) (*Effective October 1, 2011*) Each surety bail bond agent
295 shall maintain all records of surety bail bonds executed or
296 countersigned by such agent for at least three years after the liability of
297 the insurer has been terminated. Such records shall be open at all times
298 to examination, inspection and photographic or digital reproduction
299 by any employee or agent of the Insurance Department, an authorized

300 representative of the insurer or a managing general agent. The
301 commissioner may require a surety bail bond agent, at any time, to
302 furnish to the Insurance Department, in such manner or form as the
303 commissioner may require, any information concerning the surety bail
304 bond business of such agent.

305 Sec. 7. (NEW) (*Effective October 1, 2011*) (a) A surety bail bond agent
306 or a managing general agent shall post build-up funds with an insurer
307 or managing general agent pursuant to the surety bail bond agent's
308 contract with the insurer or managing general agent or the managing
309 general agent's contract with the insurer, as applicable. The insurer or
310 managing general agent shall establish an individual build-up trust
311 account for the surety bail bond agent in a federally insured bank or
312 savings and loan association in this state, jointly in the name of the
313 surety bail bond agent and the insurer or managing general agent, or
314 in trust for the surety bail bond agent by the insurer or managing
315 general agent. The insurer or managing general agent shall
316 immediately deposit build-up funds received from the surety bail
317 bond agent in the build-up trust account. Interest earned on any such
318 deposits shall accrue to the surety bail bond agent. The account shall
319 be open to inspection and examination by the Insurance Department at
320 all times. The insurer or managing general agent shall maintain an
321 accounting of all build-up funds and such accounting shall designate
322 the amounts collected on each bail bond executed.

323 (b) Build-up funds shall be used to compensate the insurer or
324 managing general agent for any losses such insurer or managing
325 general agent incurs in the apprehension of a defendant or to pay
326 forfeitures of bail bonds executed by the surety bail bond agent.

327 (c) Build-up funds, as established by the surety bail bond agent's
328 contract with the insurer or managing general agent, shall not exceed
329 forty per cent of the premium.

330 (d) Upon the termination of the surety bail bond agent's contract
331 and discharge of liabilities on the bail bonds for which the build-up

332 funds were posted, the insurer or managing general agent shall pay
333 the build-up funds, minus the expenses permitted to be recovered by
334 the insurer or managing general agent under subsection (b) of this
335 section, to the surety bail bond agent not later than six months after
336 such termination and discharge of liabilities.

337 Sec. 8. (NEW) (*Effective October 1, 2011*) (a) A surety bail bond agent
338 may receive collateral security or other indemnity on a bail bond.

339 (b) A surety bail bond agent who receives collateral security or other
340 indemnity on a bail bond shall comply with all of the following
341 requirements:

342 (1) The collateral security or other indemnity shall be reasonable in
343 relation to the amount of the bail bond;

344 (2) The collateral security or other indemnity shall not be used by
345 the surety bail bond agent for personal benefit or gain and shall be
346 returned in the same condition as received;

347 (3) Acceptable forms of collateral security or other indemnity
348 include, but are not limited to, cash or its equivalent, a promissory
349 note, an indemnity agreement, a real property mortgage in the name of
350 the insurer or any Uniform Commercial Code filing;

351 (4) The surety bail bond agent shall provide to the person providing
352 the collateral security or other indemnity a written, numbered receipt
353 that describes in a detailed manner the collateral security or other
354 indemnity provided, along with copies of any documents rendered;

355 (5) The surety bail bond agent shall hold the collateral security or
356 other indemnity in a fiduciary capacity and shall, prior to any
357 forfeiture of a bail bond, keep the collateral security or other indemnity
358 separate and apart from any other funds or assets of the surety bail
359 bond agent;

360 (6) If the surety bail bond agent receives collateral security or other

361 indemnity in excess of fifty thousand dollars in cash, the cash amount
362 shall be made payable to the insurer in the form of a cashier's check,
363 United States postal money order, certificate of deposit or wire
364 transfer; and

365 (7) If the surety bail bond agent receives collateral security or other
366 indemnity in excess of fifty thousand dollars in cash or its equivalent,
367 the agent shall promptly forward the entire amount of such collateral
368 security or other indemnity to the insurer or managing general agent.

369 (c) The surety bail bond agent may deposit collateral security or
370 other indemnity in an interest-bearing account in a federally insured
371 bank or savings and loan association in this state, to accrue to the
372 benefit of the person providing the collateral security or other
373 indemnity. The surety bail bond agent, insurer or managing general
374 agent shall not receive any pecuniary gain on the collateral security or
375 other indemnity deposited.

376 (d) (1) The insurer shall be liable for all collateral security or other
377 indemnity received by a surety bail bond agent. If, upon final
378 termination of liability on a bail bond, the surety bail bond agent or
379 managing general agent fails to return the collateral security or other
380 indemnity to the person who provided it, the insurer shall return the
381 actual collateral or other indemnity to such person or, in the event that
382 the insurer cannot locate the collateral security or other indemnity,
383 shall pay such person the value of the collateral security or other
384 indemnity.

385 (2) An insurer's liability as described in subdivision (1) of this
386 subsection shall survive the termination of the surety bail bond agent's
387 appointment, with respect to those bail bonds that were executed by
388 the surety bail bond agent prior to the termination of the appointment.

389 (e) (1) If a forfeiture of the bail bond occurs, the surety bail bond
390 agent or insurer shall give the principal on the bail bond and the
391 person who provided the collateral security or other indemnity thirty

392 days written notice of intent to convert the collateral security or other
393 indemnity into cash to satisfy the forfeiture. The notice shall be sent by
394 certified mail, return receipt requested, to the last-known address of
395 the principal and the person who provided the collateral security or
396 other indemnity.

397 (2) Whenever a stay of execution upon such forfeiture is ordered
398 pursuant to section 54-65a of the general statutes, the surety bail bond
399 agent or insurer shall send such written notice by certified mail, return
400 receipt requested, to the last-known address of the principal and the
401 person who provided the collateral security or other indemnity, at
402 least thirty days prior to the expiration of such stay.

403 (3) (A) The surety bail bond agent or insurer shall convert the
404 collateral security or other indemnity into cash within a reasonable
405 period of time and return to the principal or the person who provided
406 the collateral security or other indemnity any amount in excess of the
407 face value of the bail bond, minus the actual and reasonable expenses
408 of converting the collateral security or other indemnity into cash. Such
409 expenses shall not exceed ten per cent of the face value of the bail
410 bond. If a surety bail bond agent expends more than ten per cent of the
411 face value of the bail bond to convert the collateral security or other
412 indemnity into cash, such agent may file a civil action to recover the
413 full amount of the actual and reasonable expenses upon motion and
414 proof that the actual and reasonable expenses exceed ten per cent of
415 the face value of the bail bond.

416 (B) If a forfeiture of the bail bond occurs and the insurer paid the
417 bail bond, the insurer shall pay to the person who provided the
418 collateral security or other indemnity the value of any collateral
419 security or other indemnity received on the bail bond, minus the actual
420 and reasonable expenses permitted to be recovered under this
421 subsection.

422 (f) Any agreement that violates the provisions of sections 3 to 12,
423 inclusive, of this act shall be void. A surety bail bond agent or insurer

424 shall not enter into any agreement as to the value of the collateral
425 security or other indemnity that does not reflect the actual value of
426 such collateral security or other indemnity.

427 (g) Prior to the appointment of a surety bail bond agent who is
428 currently or was previously appointed by another insurer, the surety
429 bail bond agent shall file with the commissioner a sworn and notarized
430 affidavit, on a form prescribed by the commissioner, stating that: (1)
431 There has been no loss, misappropriation, conversion or theft of any
432 collateral security or other indemnity being held by the agent in trust
433 for any insurer by which the agent is currently or was previously
434 appointed; (2) all collateral security or other indemnity being held in
435 trust by the agent and all records for any insurer by which the agent is
436 currently or was previously appointed are available for immediate
437 audit and inspection by the commissioner, the insurer, or the
438 managing general agent; and (3) such records will, upon demand of
439 the commissioner or insurer, be transmitted to the insurer for whom
440 the collateral security or other indemnity is being held in trust.

441 Sec. 9. (NEW) (*Effective October 1, 2011*) (a) If collateral security or
442 other indemnity was received on a bail bond by a surety bail bond
443 agent and such bond is terminated, the insurer, managing general
444 agent or surety bail bond agent shall return the collateral security or
445 other indemnity, except a promissory note or an indemnity agreement,
446 not later than twenty-one days after receipt of a written report from
447 the court that the bail bond has been terminated. Such collateral
448 security or other indemnity shall be returned to the person who
449 provided the collateral security or other indemnity unless another
450 disposition is provided for by legal assignment to another person of
451 the right to receive the return of the collateral security or other
452 indemnity. If, despite diligent inquiry by the insurer or managing
453 general agent to determine whether the bail bond has been terminated,
454 the court fails to provide any written report on termination, the
455 collateral security or other indemnity, except a promissory note or an
456 indemnity agreement, shall be returned to the person who provided

457 the collateral security or other indemnity not later than twenty-one
458 days after the insurer, managing general agent or surety bail bond
459 agent has become aware that the bail bond has been terminated.

460 (b) No fee or other charge, other than as authorized under sections 3
461 to 12, inclusive, of this act, shall be deducted from the collateral
462 security or other indemnity due. Actual expenses incurred by a surety
463 bail bond agent in the apprehension of a defendant because of a
464 forfeiture of a bail bond or judgment may be deducted if such expenses
465 are accounted for.

466 (c) Any person who violates this section shall be subject to the
467 penalties for larceny under sections 53a-122 to 53a-125b, inclusive, of
468 the general statutes, depending on the amount involved.

469 Sec. 10. (NEW) (*Effective October 1, 2011*) (a) No insurer, managing
470 general agent or surety bail bond agent shall furnish to any person any
471 blank form, application, stationery, business card or other supplies to
472 be used in the solicitation, negotiation or execution of bail bonds
473 unless such person is licensed to act as a surety bail bond agent and is
474 appointed by an insurer as required in section 38a-660 of the general
475 statutes, as amended by this act. Except for a power of attorney form, a
476 bond appearance form or a collateral security or other indemnity
477 receipt, this section shall not prohibit an unlicensed employee who is
478 under the direct supervision and control of a licensed and appointed
479 surety bail bond agent from possessing or working with any other
480 form used in the surety bail bond agent's or insurer's office's daily
481 business activities.

482 (b) Any insurer that furnishes any of the supplies set forth in
483 subsection (a) of this section to any surety bail bond agent or other
484 person not appointed by such insurer, and that accepts any bail bond
485 business from or executes any bail bond business for such surety bail
486 bond agent or other person, shall be liable on the bail bond to the same
487 extent and in the same manner as if the surety bail bond agent or other
488 person had been appointed or authorized by such insurer to act on its

489 behalf.

490 Sec. 11. (NEW) (*Effective October 1, 2011*) (a) No surety bail bond
491 agent or insurer shall:

492 (1) Suggest or advise, in exchange for a fee or other consideration,
493 the employment of or name for employment of any particular attorney
494 to represent the principal on a bail bond;

495 (2) Directly or indirectly solicit business, unless a request is initiated
496 by an arrested person or potential indemnitor, in or on the property or
497 grounds of a correctional institution, community correctional center or
498 other detention facility where arrested persons are confined, or within
499 any police station or courthouse. For purposes of this subdivision,
500 "solicit" includes the distribution of business cards, print advertising or
501 any other written information directed to arrested persons or potential
502 indemnitors. A correctional institution, community correctional center
503 or other detention facility where arrested persons are confined, police
504 station or courthouse may permit print advertising by a surety bail
505 bond agent or an insurer in or on the property or grounds of such
506 institution, center or facility, police station or courthouse, provided
507 such advertising shall be limited to a listing in a telephone directory
508 and the posting of the surety bail bond agent's name, address and
509 telephone number in a prominent designated location in or on such
510 property or grounds;

511 (3) Wear or otherwise display any surety bail bond agent
512 identification, other than a surety bail bond agent license or surety bail
513 bond agent identification issued or approved by the Insurance
514 Commissioner, in or on the property or grounds of a correctional
515 institution, community correctional center or other detention facility
516 where arrested persons are confined, or in or on the property or
517 grounds of any courthouse;

518 (4) Pay a fee or rebate or give or promise anything of value to a law
519 enforcement officer, judicial marshal, employee of the Department of

520 Correction or other person who has power to arrest or to hold a person
521 in custody, or to any other public official or public employee, to secure
522 a compromise, remission or reduction of the amount of any bail bond
523 or estreatment of bail;

524 (5) Pay a fee or rebate or give or promise anything of value to an
525 attorney in any matter pertaining to a bail bond, except in defense of
526 any action on a bail bond;

527 (6) Pay a fee or rebate or give or promise anything of value to the
528 principal or to any person on the principal's behalf;

529 (7) Participate in the capacity of an attorney at a proceeding of a
530 principal, in violation of section 51-88 of the general statutes;

531 (8) Accept anything of value from a principal for providing a bail
532 bond, other than the premium approved by the commissioner
533 pursuant to chapter 701 of the general statutes and an expense fee,
534 except that the surety bail bond agent may accept collateral security or
535 other indemnity from a principal or other person in accordance with
536 section 9 of this act. A surety bail bond agent may, upon written
537 agreement with a third party, receive a fee or other compensation for
538 returning to custody an individual who has fled the jurisdiction of the
539 court or whose bail bond has been forfeited;

540 (9) Execute a bail bond in this state on such agent's or insurer's own
541 behalf; or

542 (10) Write a bail bond in this state for an arrested person if such
543 arrested person or a person with actual or apparent authority to act on
544 behalf of such arrested person has not authorized such agent, in
545 writing, to execute a bail bond on such arrested person's behalf. The
546 surety bail bond agent shall maintain any such written authorization.

547 (b) If a bail bond executed by a surety bail bond agent is forfeited
548 and such forfeiture has remained unpaid for at least sixty days after
549 the date payment has become due, no such surety bail bond agent or

insurer that appointed such agent shall execute a bail bond in this state until the full amount of the forfeited bail bond is paid to the Office of the Chief State's Attorney in accordance with procedures set forth by said office.

Sec. 12. (NEW) (*Effective October 1, 2011*) (a) Each insurer and each surety bail bond agent that executes bail bonds in this state shall maintain and transmit the following records, based on such insurer's or such agent's Connecticut bail bond business, to the Insurance Department upon request and, with respect to a surety bail bond agent, shall report the information separately for each insurer represented, except that subdivisions (1), (12) and (13) of this subsection shall apply only to insurers:

(1) Commissions paid;

(2) The number of, and the total dollar amount of, bail bonds executed;

(3) The number of, and the total dollar amount of, bail bonds ordered forfeited;

(4) The number of, and the total dollar amount of, forfeitures discharged, remitted or otherwise recovered prior to payment for any reason;

(5) The number of, and the total dollar amount of, forfeitures discharged, remitted or otherwise recovered prior to payment due to the apprehension of the principal on the bail bond by the surety bail bond agent;

(6) The number of, and the total dollar amount of, forfeited bail bonds that have not been reinstated pursuant to section 54-65a of the general statutes;

(7) The number of, and the total dollar amount of, forfeitures paid and subsequently recovered by the Office of the Chief State's Attorney

579 by discharge, remission or otherwise;

580 (8) A list of every outstanding or unpaid forfeiture, estreature and
581 judgment, with the case number and the name of the court in which
582 such forfeiture, estreature or judgment is recorded and the name of
583 each agency or firm that employs the surety bail bond agent;

584 (9) The number of, and the total dollar amount of, bail bonds for
585 which collateral security or other indemnity was received;

586 (10) The actual value of collateral security or other indemnity
587 converted, excluding the cost of converting the collateral security or
588 other indemnity;

589 (11) The cost of converting collateral security or other indemnity;

590 (12) The underwriting gain or loss;

591 (13) The net investment gain or loss allocated to the flow of funds
592 associated with Connecticut business; and

593 (14) Such additional information as the Insurance Department may
594 require to: (A) Evaluate the reasonableness of rates or ensure that such
595 rates are not excessive, inadequate or unfairly discriminatory; (B)
596 evaluate the financial condition or trade practices of surety bail bond
597 agents and insurers executing bail bonds; and (C) evaluate the
598 performance of the surety bail bond agents and insurers executing bail
599 bonds in accordance with appropriate criminal justice system goals
600 and standards.

601 (b) Each surety bail bond agent shall submit a copy of such
602 information to each insurer such agent represents.

603 (c) The commissioner shall meet at least annually with a group of
604 surety bail bond agents and insurers, and any other representatives the
605 commissioner deems necessary, to discuss the reporting requirements
606 set forth in subsection (a) of this section.

607 Sec. 13. (NEW) (*Effective October 1, 2011*) (a) The commissioner may
608 suspend or revoke the license of a surety bail bond agent, or may
609 impose a fine in lieu of or in addition to such suspension or revocation
610 in accordance with section 38a-774 of the general statutes for any
611 violation of section 38a-660 of the general statutes, as amended by this
612 act, and sections 3 to 12, inclusive, of this act.

613 (b) Upon the surrender, suspension or revocation of a surety bail
614 bond agent's license, the appointing insurer or managing general agent
615 shall immediately designate a licensed and appointed surety bail bond
616 agent to administer all bail bonds previously executed by the licensee.

617 (c) Any individual aggrieved by the action of the commissioner
618 under subsection (a) of this section may appeal therefrom, in
619 accordance with section 38a-774 of the general statutes.

620 Sec. 14. (NEW) (*Effective October 1, 2011*) The commissioner may
621 adopt regulations, in accordance with the provisions of chapter 54 of
622 the general statutes, to implement the provisions of section 38a-660 of
623 the general statutes, as amended by this act, and sections 3 to 12,
624 inclusive, of this act.

625 Sec. 15. Subsection (a) of section 38a-11 of the general statutes is
626 repealed and the following is substituted in lieu thereof (*Effective*
627 *October 1, 2011*):

628 (a) The commissioner shall demand and receive the following fees:
629 (1) For the annual fee for each license issued to a domestic insurance
630 company, two hundred dollars; (2) for receiving and filing annual
631 reports of domestic insurance companies, fifty dollars; (3) for filing all
632 documents prerequisite to the issuance of a license to an insurance
633 company, two hundred twenty dollars, except that the fee for such
634 filings by any health care center, as defined in section 38a-175, shall be
635 one thousand three hundred fifty dollars; (4) for filing any additional
636 paper required by law, thirty dollars; (5) for each certificate of
637 valuation, organization, reciprocity or compliance, forty dollars; (6) for

each certified copy of a license to a company, forty dollars; (7) for each certified copy of a report or certificate of condition of a company to be filed in any other state, forty dollars; (8) for amending a certificate of authority, two hundred dollars; (9) for each license issued to a rating organization, two hundred dollars. In addition, insurance companies shall pay any fees imposed under section 12-211; (10) a filing fee of fifty dollars for each initial application for a license made pursuant to section 38a-769; (11) with respect to insurance agents' appointments: (A) A filing fee of fifty dollars for each request for any agent appointment, except that no filing fee shall be payable for a request for agent appointment by an insurance company domiciled in a state or foreign country which does not require any filing fee for a request for agent appointment for a Connecticut insurance company; (B) a fee of one hundred dollars for each appointment issued to an agent of a domestic insurance company or for each appointment continued; and (C) a fee of eighty dollars for each appointment issued to an agent of any other insurance company or for each appointment continued, except that (i) no fee shall be payable for an appointment issued to an agent of an insurance company domiciled in a state or foreign country which does not require any fee for an appointment issued to an agent of a Connecticut insurance company, and (ii) the fee shall be twenty dollars for each appointment issued or continued to an agent of an insurance company domiciled in a state or foreign country with a premium tax rate below Connecticut's premium tax rate; (12) with respect to insurance producers: (A) An examination fee of fifteen dollars for each examination taken, except when a testing service is used, the testing service shall pay a fee of fifteen dollars to the commissioner for each examination taken by an applicant; (B) a fee of eighty dollars for each license issued; (C) a fee of eighty dollars per year, or any portion thereof, for each license renewed; and (D) a fee of eighty dollars for any license renewed under the transitional process established in section 38a-784; (13) with respect to public adjusters: (A) An examination fee of fifteen dollars for each examination taken, except when a testing service is used, the testing service shall pay a fee of fifteen dollars to the commissioner for each examination taken by an

673 applicant; and (B) a fee of two hundred fifty dollars for each license
674 issued or renewed; (14) with respect to casualty adjusters: (A) An
675 examination fee of twenty dollars for each examination taken, except
676 when a testing service is used, the testing service shall pay a fee of
677 twenty dollars to the commissioner for each examination taken by an
678 applicant; (B) a fee of eighty dollars for each license issued or renewed;
679 and (C) the expense of any examination administered outside the state
680 shall be the responsibility of the entity making the request and such
681 entity shall pay to the commissioner two hundred dollars for such
682 examination and the actual traveling expenses of the examination
683 administrator to administer such examination; (15) with respect to
684 motor vehicle physical damage appraisers: (A) An examination fee of
685 eighty dollars for each examination taken, except when a testing
686 service is used, the testing service shall pay a fee of eighty dollars to
687 the commissioner for each examination taken by an applicant; (B) a fee
688 of eighty dollars for each license issued or renewed; and (C) the
689 expense of any examination administered outside the state shall be the
690 responsibility of the entity making the request and such entity shall
691 pay to the commissioner two hundred dollars for such examination
692 and the actual traveling expenses of the examination administrator to
693 administer such examination; (16) with respect to certified insurance
694 consultants: (A) An examination fee of twenty-six dollars for each
695 examination taken, except when a testing service is used, the testing
696 service shall pay a fee of twenty-six dollars to the commissioner for
697 each examination taken by an applicant; (B) a fee of two hundred fifty
698 dollars for each license issued; and (C) a fee of two hundred fifty
699 dollars for each license renewed; (17) with respect to surplus lines
700 brokers: (A) An examination fee of twenty dollars for each
701 examination taken, except when a testing service is used, the testing
702 service shall pay a fee of twenty dollars to the commissioner for each
703 examination taken by an applicant; and (B) a fee of six hundred
704 twenty-five dollars for each license issued or renewed; (18) with
705 respect to fraternal agents, a fee of eighty dollars for each license
706 issued or renewed; (19) a fee of twenty-six dollars for each license
707 certificate requested, whether or not a license has been issued; (20)

708 with respect to domestic and foreign benefit societies shall pay: (A) For
709 service of process, fifty dollars for each person or insurer to be served;
710 (B) for filing a certified copy of its charter or articles of association,
711 fifteen dollars; (C) for filing the annual report, twenty dollars; and (D)
712 for filing any additional paper required by law, fifteen dollars; (21)
713 with respect to foreign benefit societies: (A) For each certificate of
714 organization or compliance, fifteen dollars; (B) for each certified copy
715 of permit, fifteen dollars; and (C) for each copy of a report or certificate
716 of condition of a society to be filed in any other state, fifteen dollars;
717 (22) with respect to reinsurance intermediaries, [A] a fee of six
718 hundred twenty-five dollars for each license issued or renewed; (23)
719 with respect to life settlement providers: (A) A filing fee of twenty-six
720 dollars for each initial application for a license made pursuant to
721 section 38a-465a; and (B) a fee of forty dollars for each license issued or
722 renewed; (24) with respect to life settlement brokers: (A) A filing fee of
723 twenty-six dollars for each initial application for a license made
724 pursuant to section 38a-465a; and (B) a fee of forty dollars for each
725 license issued or renewed; (25) with respect to preferred provider
726 networks, a fee of two thousand seven hundred fifty dollars for each
727 license issued or renewed; (26) with respect to rental companies, as
728 defined in section 38a-799, a fee of eighty dollars for each permit
729 issued or renewed; (27) with respect to medical discount plan
730 organizations licensed under section 38a-479rr, a fee of six hundred
731 twenty-five dollars for each license issued or renewed; (28) with
732 respect to pharmacy benefits managers, an application fee of one
733 hundred dollars for each registration issued or renewed; (29) with
734 respect to captive insurance companies, as defined in section 38a-91aa,
735 a fee of three hundred seventy-five dollars for each license issued or
736 renewed; [and] (30) with respect to each duplicate license issued a fee
737 of fifty dollars for each license issued; and (31) with respect to surety
738 bail bond agents, as defined in section 38a-660, as amended by this act,
739 (A) a filing fee of one hundred fifty dollars for each initial application
740 for a license, and (B) a fee of one hundred dollars for each license
741 issued or renewed.

742 Sec. 16. Section 29-145 of the general statutes is repealed and the
743 following is substituted in lieu thereof (*Effective October 1, 2011*):

744 Any person desiring to engage in the business of a professional
745 bondsman shall apply to the Commissioner of Public Safety for a
746 license. [therefor.] Such application shall set forth under oath the full
747 name, age, residence, telephone number and occupation of the
748 applicant, whether the applicant intends to engage in the business of a
749 professional bondsman individually or in partnership or association
750 with another or others, and, if so, the identity of each. It shall also set
751 forth under oath a statement of the assets and liabilities of the
752 applicant, and whether the applicant has been charged with or
753 convicted of crime, and such other information, including fingerprints
754 and photographs, as said commissioner from time to time may require.
755 The commissioner shall require the applicant to submit to state and
756 national criminal history records checks. The criminal history records
757 checks required pursuant to this section shall be conducted in
758 accordance with section 29-17a. No person who has been convicted of
759 a felony shall be licensed to do business as a professional bondsman in
760 this state. No person engaged in law enforcement or vested with police
761 powers shall be licensed to do business as a professional bondsman.

762 Sec. 17. Section 29-148 of the general statutes is repealed and the
763 following is substituted in lieu thereof (*Effective October 1, 2011*):

764 Each professional bondsman licensed under the provisions of this
765 chapter shall: [forthwith inform] (1) Inform the Commissioner of
766 Public Safety, in writing, of (A) a change in such professional
767 bondsman's name, residence address or telephone number, not later
768 than thirty days after such change, and (B) any material change in [his]
769 such professional bondsman's assets or liabilities affecting [his] such
770 bondsman's responsibility as a bondsman; and [shall] (2) at any time,
771 upon request of said commissioner, furnish [him] said commissioner
772 with a statement under oath of [his] such professional bondsman's
773 assets and liabilities, including all bail bonds on which such bondsman
774 is obligated.

775 Sec. 18. Section 29-149 of the general statutes is repealed and the
776 following is substituted in lieu thereof (*Effective October 1, 2011*):

777 The Commissioner of Public Safety shall furnish to all courts and to
778 all town, city and borough departments in the state, having authority
779 to accept bail, the names, residence addresses and telephone numbers
780 of all professional bondsmen licensed under the provisions of this
781 chapter and shall forthwith notify such courts and all such town, city
782 and borough departments of any change in any such bondsman's
783 name, residence address, telephone number or status or of the
784 suspension or revocation of any bondsman's license to engage in such
785 business.

786 Sec. 19. Section 29-152 of the general statutes is repealed and the
787 following is substituted in lieu thereof (*Effective October 1, 2011*):

788 Any person who violates any provision of [this chapter] sections 29-
789 145, as amended by this act, 29-148, as amended by this act, 29-150 and
790 29-151 shall be fined not more than one thousand dollars or
791 imprisoned not more than two years or both and [his] such person's
792 right to engage in the business of a professional bondsman in this state
793 shall thereupon be permanently forfeited.

794 Sec. 20. (NEW) (*Effective October 1, 2011*) To carry out the provisions
795 of sections 29-144 to 29-151, inclusive, of the general statutes, as
796 amended by this act, and sections 21 and 22 of this act, the
797 Commissioner of Public Safety may:

798 (1) Inspect the books and records of any professional bondsman as
799 often as the commissioner deems necessary. Said commissioner may
800 consult with the Insurance Commissioner to carry out such
801 inspections. The Commissioner of Public Safety may adopt
802 regulations, in accordance with chapter 54 of the general statutes, to
803 (A) establish procedures for such inspections, (B) specify the content
804 and form of books and records required to be kept by professional
805 bondsmen, or (C) require a fee to be paid by professional bondsmen to

806 cover the cost of inspections; and

807 (2) Adopt regulations, in accordance with chapter 54 of the general
808 statutes, to carry out the provisions of sections 29-144 to 29-151,
809 inclusive, of the general statutes, as amended by this act, and sections
810 21 and 22 of this act.

811 Sec. 21. (NEW) (*Effective October 1, 2011*) (a) No professional
812 bondsman shall:

813 (1) Suggest or advise, in exchange for a fee or other consideration,
814 the employment of or name for employment of any particular attorney
815 to represent the principal on a bail bond;

816 (2) Directly or indirectly solicit business, unless a request is initiated
817 by an arrested person or potential indemnitor, in or on the property or
818 grounds of a correctional institution, community correctional center or
819 other detention facility where arrested persons are confined, or within
820 any police station or courthouse. For purposes of this subdivision,
821 "solicit" includes the distribution of business cards, print advertising or
822 any other written information directed to arrested persons or potential
823 indemnitors. A correctional institution, community correctional center
824 or other detention facility where arrested persons are confined, police
825 station or courthouse may permit print advertising by a professional
826 bondsman in or on the property or grounds of such institution, center
827 or facility, police station or courthouse, provided such advertising
828 shall be limited to a listing in a telephone directory and the posting of
829 the professional bondsman's name, address and telephone number in a
830 prominent designated location in or on such property or grounds;

831 (3) Wear or otherwise display any professional bondsman
832 identification, other than a professional bondsman license or
833 professional bondsman identification issued or approved by the
834 Commissioner of Public Safety, in or on the property or grounds of a
835 correctional institution, community correctional center or other
836 detention facility where arrested persons are confined, or in or on the

837 property or grounds of any courthouse;

838 (4) Pay a fee or rebate or give or promise anything of value to a law
839 enforcement officer, judicial marshal, employee of the Department of
840 Correction or other person who has power to arrest or to hold a person
841 in custody, or to any other public official or public employee to secure
842 a compromise, remission or reduction of the amount of any bail bond
843 or estreatment of bail;

844 (5) Pay a fee or rebate or give or promise anything of value to an
845 attorney in any matter pertaining to a bail bond, except in defense of
846 any action on a bail bond;

847 (6) Pay a fee or rebate or give or promise anything of value to the
848 principal or to any person on the principal's behalf;

849 (7) Participate in the capacity of an attorney at a proceeding of a
850 principal, in violation of section 51-88 of the general statutes;

851 (8) Accept anything of value from a principal for providing a bail
852 bond, other than the commission or fee authorized under section 29-
853 151 of the general statutes, except that the professional bondsman may
854 accept collateral security or other indemnity on a bail bond from a
855 principal or other person in accordance with section 22 of this act. A
856 professional bondsman may, upon written agreement with a third
857 party, receive a fee or other compensation for returning to custody an
858 individual who has fled the jurisdiction of the court or whose bail
859 bond has been forfeited;

860 (9) Execute a bail bond in this state on such professional bondsman's
861 own behalf; or

862 (10) Write a bail bond in this state for an arrested person if such
863 arrested person or a person with actual or apparent authority to act on
864 behalf of such arrested person has not authorized such bondsman, in
865 writing, to execute a bail bond on such arrested person's behalf. The
866 professional bondsman shall maintain any such written authorization.

867 (b) If a bail bond executed by a professional bondsman is forfeited
868 and such forfeiture has remained unpaid for at least sixty days after
869 the date payment has become due, no such bondsman shall execute a
870 bail bond in this state until the full amount of the forfeited bail bond is
871 paid to the Office of the Chief State's Attorney in accordance with
872 procedures set forth by said office.

873 Sec. 22. (NEW) (*Effective October 1, 2011*) (a) A professional
874 bondsman may accept collateral security or other indemnity on a bail
875 bond.

876 (b) If collateral security or other indemnity was received on a bail
877 bond by a professional bondsman and such bond is terminated, such
878 bondsman shall return the collateral security or other indemnity,
879 except a promissory note or an indemnity agreement, not later than
880 twenty-one days after receipt of a written report from the court that
881 the bail bond has been terminated. Such collateral security or other
882 indemnity shall be returned to the person who gave the collateral
883 security or other indemnity unless another disposition is provided for
884 by legal assignment to another person of the right to receive the return
885 of the collateral security or other indemnity. If, despite diligent inquiry
886 by the professional bondsman to determine whether the bail bond has
887 been terminated, the court fails to provide any written report on
888 termination, the collateral security or other indemnity, except a
889 promissory note or an indemnity agreement, shall be returned to the
890 person who provided the collateral security or other indemnity not
891 later than twenty-one days after the professional bondsman has
892 become aware that the bail bond has been terminated.

893 (c) No fee or other charge shall be deducted from the collateral
894 security or other indemnity due, except that actual and reasonable
895 expenses incurred by a professional bondsman in the apprehension of
896 a defendant because of a forfeiture of a bail bond or judgment may be
897 deducted if such expenses are accounted for.

898 (d) Any person who violates this section shall be subject to the

899 penalties for larceny under sections 53a-122 to 53a-125b, inclusive, of
900 the general statutes, depending on the amount involved.

901 Sec. 23. (NEW) (*Effective October 1, 2011*) Upon the request during
902 regular business hours of a person licensed as (1) a professional
903 bondsman under chapter 533 of the general statutes, (2) a surety bail
904 bond agent under section 38a-660 of the general statutes, as amended
905 by this act, or (3) a bail enforcement agent under sections 29-152f to 29-
906 152i, inclusive, of the general statutes, the Judicial Branch shall verify
907 in the central computer system set forth in subsection (e) of section 54-
908 2a of the general statutes whether a rearrest warrant or capias issued
909 pursuant to section 54-65a of the general statutes is still outstanding.

910 Sec. 24. (NEW) (*Effective October 1, 2011*) A court shall vacate an
911 order forfeiting a bail bond and release the professional bondsman, as
912 defined in section 29-144 of the general statutes, the surety bail bond
913 agent and the insurer, as both terms are defined in section 38a-660 of
914 the general statutes, as amended by this act, if (1) the principal on the
915 bail bond is detained or incarcerated in another state, territory or
916 country, (2) the professional bondsman, the surety bail bond agent or
917 the insurer provides proof of such detention or incarceration to the
918 court and the state's attorney prosecuting the case, and (3) the state's
919 attorney prosecuting the case declines to seek extradition of the
920 principal.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	38a-660
Sec. 2	<i>October 1, 2011</i>	38a-660a
Sec. 3	<i>October 1, 2011</i>	New section
Sec. 4	<i>October 1, 2011</i>	New section
Sec. 5	<i>October 1, 2011</i>	New section
Sec. 6	<i>October 1, 2011</i>	New section
Sec. 7	<i>October 1, 2011</i>	New section
Sec. 8	<i>October 1, 2011</i>	New section
Sec. 9	<i>October 1, 2011</i>	New section

Sec. 10	<i>October 1, 2011</i>	New section
Sec. 11	<i>October 1, 2011</i>	New section
Sec. 12	<i>October 1, 2011</i>	New section
Sec. 13	<i>October 1, 2011</i>	New section
Sec. 14	<i>October 1, 2011</i>	New section
Sec. 15	<i>October 1, 2011</i>	38a-11(a)
Sec. 16	<i>October 1, 2011</i>	29-145
Sec. 17	<i>October 1, 2011</i>	29-148
Sec. 18	<i>October 1, 2011</i>	29-149
Sec. 19	<i>October 1, 2011</i>	29-152
Sec. 20	<i>October 1, 2011</i>	New section
Sec. 21	<i>October 1, 2011</i>	New section
Sec. 22	<i>October 1, 2011</i>	New section
Sec. 23	<i>October 1, 2011</i>	New section
Sec. 24	<i>October 1, 2011</i>	New section

INS *Joint Favorable Subst.*

PS *Joint Favorable*